

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JACQUELINE R. MILONE and JOHN MILONE,

Plaintiffs,

-v-

CITY OF NEW YORK, NEW YORK CITY DEPARTMENT OF
TRANSPORTATION, NEW YORK CITY DEPARTMENT OF
PARKS & RECREATION, CONSOLIDATED EDISON
COMPANY OF NEW YORK, INC. BRYANT PARK
CORPORATION, NEW YORK CITY TRANSIT AUTHORITY,
METROPOLITAN TRANSPORTATION AUTHORITY, and
MTA BUS COMPANY,

Defendants.

CIVIL ACTION NO.: 23 Civ. 6412 (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.


On May 9, 2024, Defendants New York City Transit Authority, Metropolitan Transportation Authority, and MTA Bus Company (together, the “Transit Defendants”) filed a motion to dismiss Plaintiffs’ First Amended Complaint (ECF No. 23) pursuant to Federal Rule of Civil Procedure 12(b)(6). (ECF No. 42 (the “Motion”)). Pursuant to the Court’s Local Rules, Plaintiffs’ opposition to the Motion was due by May 23, 2024. See S.D.N.Y. Loc. Civ. R. 6.1(b). Plaintiffs failed, however, to oppose or otherwise respond to the Motion or to request an extension of time to do so. As a one-time courtesy, the Court sua sponte extends this deadline, and orders as follows:

1. By **May 31, 2024**, Plaintiffs shall file their opposition to the Motion.
2. By **June 7, 2024**, the Transit Defendants shall file their reply, if any.

Plaintiffs are warned that their failure to file an opposition to the Motion will result in the Court deeming the Motion unopposed and deciding the Motion based solely on the Transit Defendants' submission.

Dated: New York, New York
May 24, 2024

SO ORDERED.



SARAH L. CAVE
United States Magistrate Judge